

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EASTMAN KODAK COMPANY,

Plaintiff,

v.

ALTEK CORPORATION,

Defendant.

Civil Action No. 12-cv-0246-DLC

DECLARATION OF ALEX HSIA IN
SUPPORT OF DEFENDANT ALTEK
CORPORATION'S MOTION FOR
PARTIAL SUMMARY JUDGMENT

I, Alex Hsia, declare:

1. I make this declaration in support of Defendant Altek Corporation's Motion for Partial Summary Judgment. Except as indicated herein, I have personal knowledge of the facts set forth in this declaration and, if called to testify as a witness, could and would competently thereto.

2. I am the President of Altek Corporation. I have held this position since 1996.

3. Altek is a Taiwanese corporation that manufactures digital cameras for third parties. Altek's customers provide Altek with hardware specifications, and proprietary software and firmware for the manufacture of their cameras. Altek never sells the same camera to more than one customer.

4. With the exception of "Altek Branded Licensed Products," Altek never sells cameras directly to consumers. Rather, Altek's customers directly or through a chain, sell the manufactured cameras to consumers.

5. Kodak became an Altek customer beginning in 2002. Beginning in 2003 Kodak became one of Altek's major customers.

6. Sometime in 2001, Kodak accused Altek of infringing its patents and demanded that Altek enter into a patent license agreement.

7. Shortly thereafter, for fear that it would lose Kodak's business and ultimately go out of business, Altek entered into negotiations with Kodak to license Kodak's patents.

8. Altek executed a document titled "Agreement" on July 1, 2004.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 1st day of February, 2013.

By: 

ALEX HSIA